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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,330	07/30/2001	Akira Fukunaga	FUKUNAGA=5	9513
1444	7590	07/13/2005	EXAMINER	
BROWDY AND NEIMARK, P.L.L.C. 624 NINTH STREET, NW SUITE 300 WASHINGTON, DC 20001-5303			LEE, CALVIN	
			ART UNIT	PAPER NUMBER
			2825	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Supplemental  
Notice of Allowability**

<b>Supplemental Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/890,330	FUKUNAGA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	

Calvin Lee      2818

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS**. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to \_\_\_\_\_.
2.  The allowed claim(s) is/are 1-8.
3.  The drawings filed on 30 July 2001 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All    b)  Some\*    c)  None    of the:
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

MATTHEW SMITH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER

ART UNIT      PAPER

070605

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

In the Publication process, it was noted that the specification, in the Summary of the Invention, referred to claims which were subsequently cancelled. Consequently, the specification has been amended to remove reference to the claim numbers only so as the applicant can have maintain continuity on this subject matter in any subsequent application.

MATTHEW SMITH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2800

CL

#### EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

##### To the Specification

On page 6, last line, delete "any".

On page 7, line 1, delete "one of claims 1 through 6" and replace with – claim 1 --

On page 7, line 12, delete "any one of claims 1 through 7" and replace with –  
claim 1 --.

On page 7, line 13, delete "According to an invention described in claim 9,".

On page 7, line 14, delete "there" and replace with – There --.

On page 7, line 25, delete "According to an invention described in claim 10,".

On page 7, line 26, delete "the" and replace with – The --.

On page 8, lines 4 and 5, delete all.

On page 8, line 6, delete "claim 9 or 10, the" and replace with – The --.

On page 8, lines 9 and 10 delete all.

On page 8, line 11 delete "claim 9 or 10, further "and replace with – Further, the  
invention --.

On page 8 lines 19-20, delete all.

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On page 8, line 21, delete "any one of claims 8 through 12, the" and replace with

– The --.

On page 8, lines 26-27, delete all.

On page 8, line 28, delete "any one of claims 8 through 12, the" and replace with

– The --.

On page 9, lines 5-6, delete all.

On page 9, line 7, delete "claim 13 or 14, further" and replace with – Further, the invention --.

#### Comments

The changes made herein are needed as the applicant has cancelled claims 9-15; therefore, reference to these claims in the Summary was inappropriate or confusing. The examiner has removed reference to the claim numbers but kept the subject matter intact so as to provide antecedent basis in future applications generated from this application.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Calvin Lee whose telephone number is 571-272-1896. The examiner can normally be reached on Monday-Fridays 7-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew S. Smith can be reached on 571-272-1907. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Calvin Lee  
Patent Examiner  
Art Unit 2818

Mss/CL



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